

# EXHIBIT A

# Supreme Court of Pennsylvania



FAYETTE

### **County**

<i>For Prothonotary Use Only:</i>	
Docket No:	18249 or 2020-0

*The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.*

<b>Commencement of Action:</b> <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer from Another Jurisdiction <input type="checkbox"/> Petition <input type="checkbox"/> Declaration of Taking					
<b>Lead Plaintiff's Name:</b> <b>MARC A. PARDOE</b>			<b>Lead Defendant's Name:</b> <b>UNIFUND CCR, LLC</b>		
<b>Are money damages requested?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<b>Dollar Amount Requested:</b> (check one) <input checked="" type="checkbox"/> within arbitration limits <input type="checkbox"/> outside arbitration limits		
<b>Is this a <i>Class Action Suit</i>?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<b>Is this an <i>MDJ Appeal</i>?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**A** Name of Plaintiff/Appellant's Attorney: Mark G. Moynihan, Esq.

Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

**Nature of the Case:** Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

**TORT** (*do not include Mass Tort*)

- Intentional
- Malicious Prosecution
- Motor Vehicle
- Nuisance
- Premises Liability
- Product Liability (*does not include mass tort*)
- Slander/Libel/ Defamation
- Other:

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**CONTRACT** (*do not include Judgments*)

- Buyer Plaintiff
- Debt Collection: Credit Card
- Debt Collection: Other

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- Employment Dispute:  
Discrimination
- Employment Dispute: Other

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- Other:

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<b>CIVIL APPEALS</b>
Administrative Agencies
<input type="checkbox"/> Board of Assessment
<input type="checkbox"/> Board of Elections
<input type="checkbox"/> Dept. of Transportation
<input type="checkbox"/> Statutory Appeal: Other
_____
_____
<input type="checkbox"/> Zoning Board
<input type="checkbox"/> Other:
_____
_____

**MASS TORT**

- Asbestos
- Tobacco
- Toxic Tort - DES
- Toxic Tort - Implant
- Toxic Waste
- Other:

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**REAL PROPERTY**

- Ejectment
- Eminent Domain/Condemnation
- Ground Rent
- Landlord/Tenant Dispute
- Mortgage Foreclosure: Residential
- Mortgage Foreclosure: Commercial
- Partition
- Quiet Title
- Other:

*211-341-0100*

**MISCELLANEOUS**

- Common Law/Statutory Arbitration
- Declaratory Judgment
- Mandamus
- Non-Domestic Relations
- Restraining Order
- Quo Warranto
- Replevin
- Other:

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#### **PROFESSIONAL LIABILITY**

- Dental
  - Legal
  - Medical
  - Other Professional:

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**IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA  
CIVIL DIVISION**

MARC A. PARDOE

Plaintiff

No.

v.

UNIFUND CCR, LLC

Defendant

Type of Pleading:

**COMPLAINT IN CIVIL ACTION**

Filed on behalf of Plaintiff,

MARC A. PARDOE

Counsel of Record for this Party:

Mark G. Moynihan, Esquire  
PA ID No. 307622

Moynihan Law, P.C.  
2 Chatham Center, Suite 230  
Pittsburgh, PA 15219  
(412) 889-8535

2020 Oct 15 PM 3:42

**IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA  
CIVIL DIVISION**

MARC A. PARDOE  
Plaintiff

Case No.:

v.

UNIFUND CCR, LLC  
Defendant

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objection to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. If you cannot afford a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
P. O. Box 186  
Harrisburg, PA 17108  
Telephone: 1-800-692-7375

**IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA  
CIVIL DIVISION**

MARC A. PARDOE  
Plaintiff

No.

v.

UNIFUND CCR, LLC  
Defendant

**COMPLAINT IN CIVIL ACTION**

Marc A. Pardoe (“Plaintiff”) brings this action against Unifund CCR, LLC (“Defendant”), and alleges as follows:

**NATURE OF THE ACTION**

1. This action is brought against Defendant for its violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §§ 1692 *et seq.*, by transferring a debt collection judgment against a consumer to an improper judicial district.

**JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction under 42 Pa. C.S. § 931 and 15 U.S.C. § 1692k.  
3. This Court has personal jurisdiction over Defendant under 42 Pa. C.S. § 5301.  
4. Venue is proper under Pa. R. Civ. P. 2179 because Defendant regularly conducts business in this county and this is the county where the cause of action arose.

**PARTIES**

5. Plaintiff is a natural person who resides in Fayette County, Pennsylvania.  
6. Defendant is a business entity with its principal place of business in Blue Ash, Ohio.  
7. Defendant purchases defaulted consumer debt to collect for profit.

8. Defendant purchases defaulted consumer debt for pennies on the dollar.
9. Defendant collects the debt it purchases, either directly or indirectly, by calling consumers, sending letters to consumers, and filing lawsuits against consumers.
10. Defendant uses instrumentalities of interstate commerce, such as telephone, mail, and the internet, to collect the debt it purchases.

#### **FACTUAL ALLEGATIONS**

11. On June 24, 2019, Defendant sued Plaintiff in the Court of Common Pleas of Fayette County, Pennsylvania.
12. Defendant claimed it was assigned a debt that was owed by Plaintiff (the “Debt”).
13. The Debt was for personal, family or household purposes.
14. On August 28, 2019, Defendant caused to be entered a default judgment against Plaintiff.
15. On December 31, 2019, Defendant transferred the judgment to the Court of Common Pleas of Allegheny County, Pennsylvania in an attempt to collect the Debt.
16. Plaintiff never signed a contract for the Debt in Allegheny County, Pennsylvania.
17. Plaintiff never lived in Allegheny County, Pennsylvania.
18. The judgment Defendant transferred to Allegheny County, Pennsylvania was an unlawful means to collect a debt because Defendant could not lawfully bring any legal action against Plaintiff in any county other than Fayette County, Pennsylvania.
19. Plaintiff suffered damages as a result of Defendant’s unlawful transferring of the judgment to Allegheny County, Pennsylvania.
20. As a result of Defendant’s actions, Plaintiff suffered considerable anxiety, stress, confusion and emotional distress.

21. Since Defendant did not have the legal authority to transfer the judgment to Allegheny County, Pennsylvania, Plaintiff was unfairly subjected to legal process in Allegheny County, Pennsylvania, which is significantly further from his home.

**COUNT I**  
**Violation of the Fair Debt Collection Practices Act**  
**15 U.S.C. §§ 1692 *et seq.***

22. Plaintiff repeats and re-alleges all prior allegations as if set forth at length herein.
23. Plaintiff is a consumer under the FDCPA, the Debt is a debt under the FDCPA, and Defendant is a debt collector under the FDCPA. 15 U.S.C. §§ 1692a(3), (5), (6).
24. Defendant's actions and practices described herein constitute as: unlawful bringing of legal action against a consumer, in violation of 15 U.S.C. § 1692i; false, deceptive or misleading representations or means in connection with the collection of a debt, in violation of 15 U.S.C. § 1692e; and/or unfair or unconscionable means to collect or attempt to collect a debt, in violation of 15 U.S.C. § 1692f.
25. As a result of Defendant's failure to comply with the provisions of the FDCPA, and the resulting injury and harm Defendant's failure caused, Plaintiff is entitled to actual damages, statutory damages and attorney's fees and costs under 15 U.S.C. § 1692k.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for the following relief:

- a. An order awarding actual, statutory, and all other damages available by law, along with pre-and post-judgment interest;
- b. An order awarding attorney's fees and costs;
- c. An order declaring Defendant's conduct unlawful; and
- d. An order awarding all other and further relief as the Court deems just and proper.

**JURY DEMAND**

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully submitted,

MOYNIHAN LAW, PC

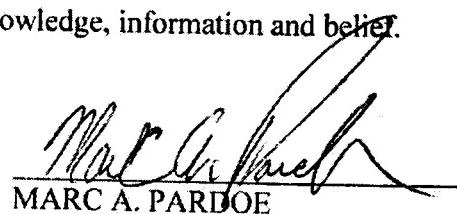
By:

  
\_\_\_\_\_  
Mark G. Moynihan, Esquire  
Attorney for Plaintiff

Dated: October 15, 2020

**VERIFICATION**

I, MARC A. PARDOE, Plaintiff herein, hereby depose and say subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities that the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief.



MARC A. PARDOE

**IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA  
CIVIL ACTION**

MARC A. PARDOE

Plaintiff

No.

**RE: ACCESS TO COURT RECORDS**

v.

UNIFUND CCR, LLC

Defendant

**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Dated: October 15, 2020



Mark G. Moynihan, Esquire  
PA ID No. 307622

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Pittsburgh, PA 15219  
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